

**Acknowledgment and
Notice of Acknowledgment
of Acceptance of R.S. 2477
Right-of-Way Grant**

Ent 147043 Bk 209 Pg 586
Date: 08-MAY-2008 1:12PM
Fee: None
Filed By: CB
COLLEEN BRINKERHOFF, Recorder
WAYNE COUNTY
For: GOVERNOR OF STATE OF UTAH

THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

Know ye, This is an Acknowledgment and Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of “the right of way for the construction of highways over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision Wayne County as it pertains to the highway located in Wayne County known as SADDLE PASS ROAD; County Road Number: 56; State Geographic Information Database (SGID) Road Identification Number: RD280329. Total road length is 5.03 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as “Attachment 1,” a printed copy of representative photos of the road is appended hereto as “Attachment 2,” a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as “Attachment 3,” and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as “Attachment 4.” The Appendices listed in “Attachment 4” that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as “Attachment 5.”

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

Internet at <http://recorded2477roads.utah.gov>.

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 23rd day of April, 2008.

By the Governor's Designee

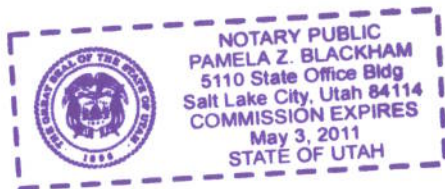


John Harja


CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

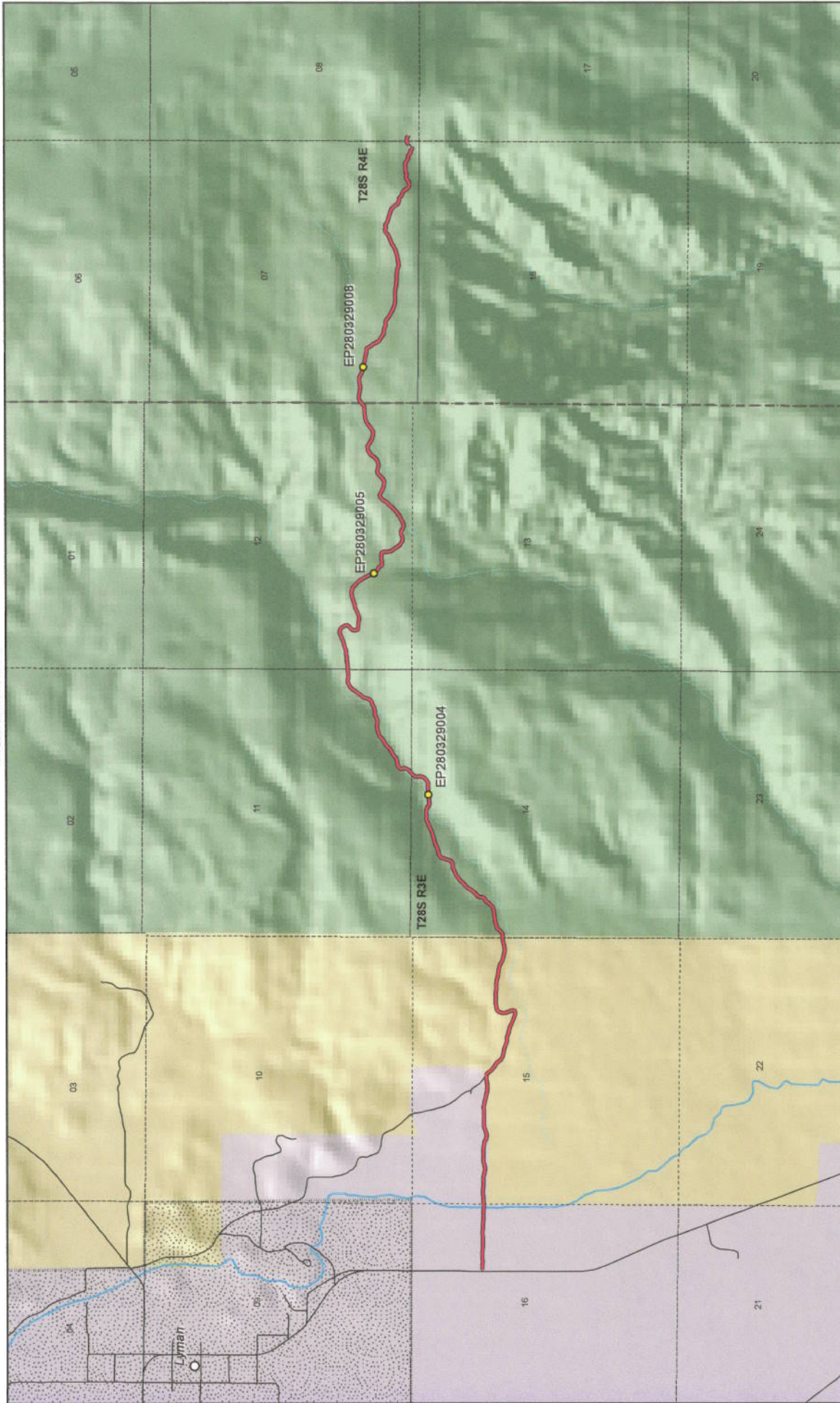
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.



Dated this 23rd day of April, 2008.



Notary Public



SADDLE PASS ROAD - Wayne County
SGID RD_ID RD280329

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- Tribal, Indian Reservation
- NPS, National Park

Transportation Network

- SADDLE PASS ROAD
- Other Roads
- Title V Issued Or Under Consideration By BLM Or County
- Photo Event Point

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 3130 State Office Building
Salt Lake City, Utah 84114
Mar 21, 2008

Attachment 2



EP280329004



EP280329005



EP280329008

EP000000000

EP000000000

EP000000000

**SADDLE PASS ROAD - Wayne County
SGID RD_ID RD280329**

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
March 19, 2008



Attachment 3

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: SADDLE PASS ROAD

County: Wayne

County Road Number: 56

State Geographic Information Database (SGID) Road Identification Number: RD280329.

Total Road Length: 5.03 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 22 minutes 43.33 seconds North Latitude and -111 degrees 35 minutes 00.78 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,616,464.6 feet and Y = 10,465,916.3 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 22 minutes 58.74 seconds North Latitude and -111 degrees 30 minutes 20.55 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,638,780.2 feet and Y = 10,467,463.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 28 South Range 3 East, Section(s) 11,12,14,15,16, Salt Lake Base & Meridian

Township 28 South Range 4 East, Section(s) 7,8, Salt Lake Base & Meridian

See Attachment 1 above for a cartographic depiction of the course of this road.

Attachment 4
Road Centerline Description Cover Page(s)

Popular Name: SADDLE PASS ROAD

County: Wayne

County Road Number: 56

State Geographic Information Database (SGID) Road Identification Number: RD280329.

Total Road Length: 5.03 miles more or less.

Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).

Road-Segments Listed by SGID Road Identification Number (RD_ID)	Road-Segment Numbers	Believed Ownership Of Servient Estate	Approximate Segment Length	See Attached Appendix
RD280329	001	PVT	0.65 Miles	(not shown)
RD280329	002	BLM	0.72 Miles	A
RD280329	003	FS	3.66 Miles	†(pending)
		Total Road Length	5.03	

* Indicates that a Title V permit will be requested, is in process, or has been issued.

† Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

Attachment 5

AFFIDAVIT OF PHILIP A. TAYLOR

SADDLE PASS ROAD

WAYNE COUNTY, UTAH

ROAD NUMBER 56

State of Utah)
 : ss.
County of Wayne)

PHILIP A. TAYLOR, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Wayne County, Utah. I have lived in Wayne County for almost 70 years. I was employed by the Utah USDA APHIS Wildlife Services Program as a predatory animal hunter.
2. I have traveled and am familiar with a road in Wayne County known as Saddle Pass Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s, it followed the same route as in 2007 when I last observed it. Attached is a Wayne County map showing Saddle Pass Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
3. I am informed that the County also identifies this road according to the road number listed above.
4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1960s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including trucks, cars, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and is presently used daily.

5. Throughout the time period from the early 1960s to 2007, I have used the road myself for predatory animal control.

6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus the following uses: residential access, recreation, government access, hunting, wood gathering, farming and livestock operations.

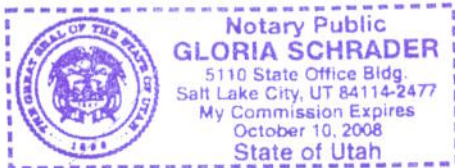
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed the graded surface of the road.

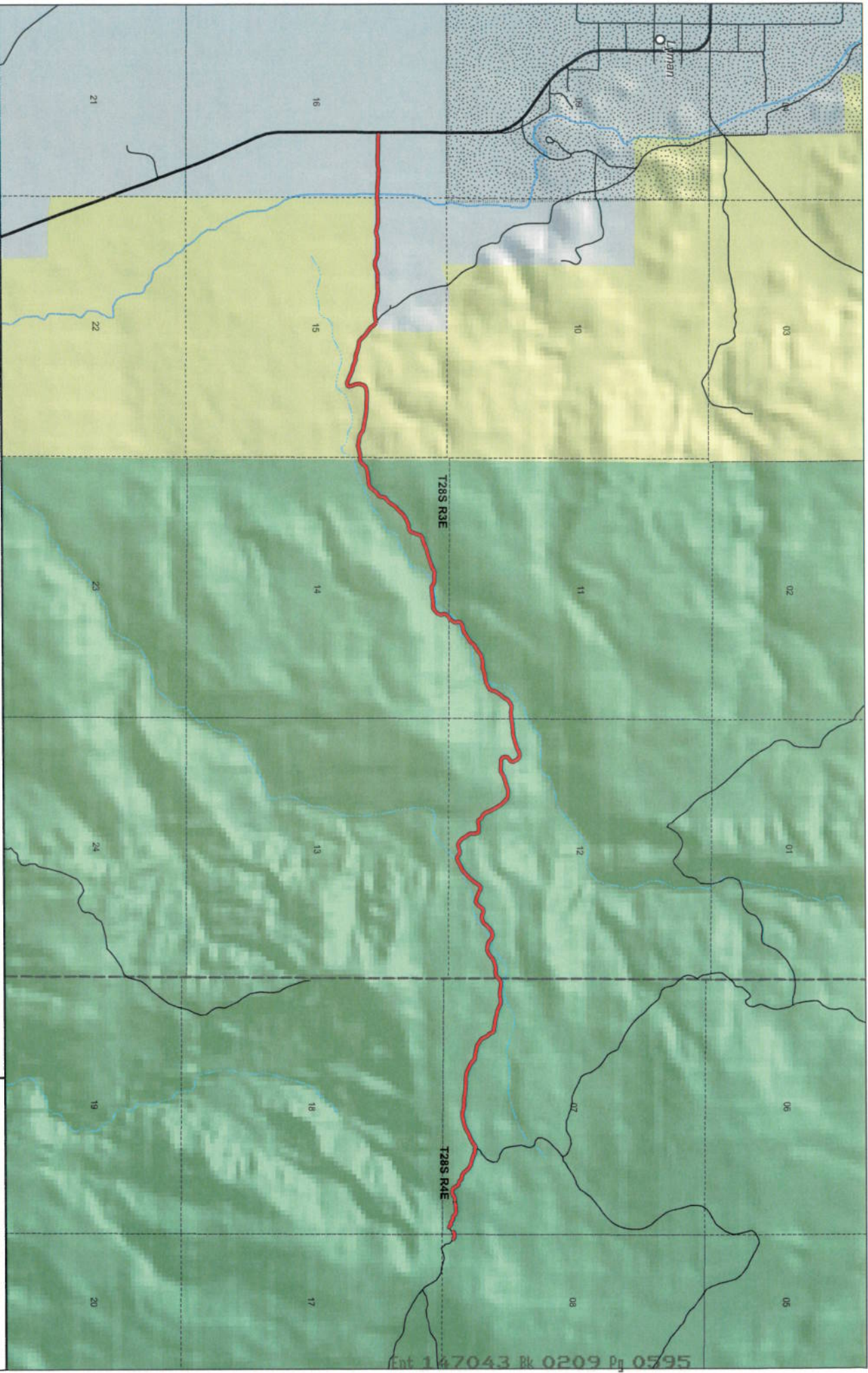
DATED this 18 day of April, 2007.


PHILIP A. TAYLOR

SUBSCRIBED AND SWORN to before me this 18th day of April, 2007.




NOTARY PUBLIC



Ent 147043 Bk 0209 Pg 0595

SADDLE PASS ROAD *County Unique - 56*

- Land Ownership Categories**

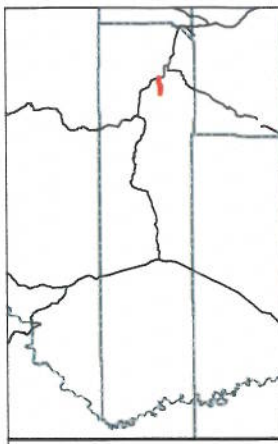
 - BLM
 - Private
 - SITLA, State Trust Land
 - USFS, National Forest
 - Wildlife Reserve
 - National Park / Monument
 - National Rec. Area
- Misc**

 - City / Town
 - Municipalities
 - Section = 1 Mile
- Transportation Network**

 - SADDLE PASS ROAD
 - State / U.S. Highway
 - Local Roads

1:31,502
1 inch equals 0.5 miles

Map prepared by the State of Utah
Automated Geographic Information
Room 5130 State Office Building
Salt Lake City, Utah 84114
Apr 12, 2007



AFFIDAVIT OF DENZEL TAYLOR

SADDLE PASS ROAD

WAYNE COUNTY, UTAH

ROAD NUMBER 56

State of Utah)
 : ss.
County of Wayne)

DENZEL TAYLOR, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Wayne County, Utah. I have lived in Wayne County for most of the past 87 years. I was employed by the Wayne County Road Department for approximately 20 years, from the early 1960s to the early 1980s.

2. I have traveled and am familiar with a road in Wayne County known as Saddle Pass Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1930s, it followed the same route as in 2007 when I last observed it. Attached is a Wayne County map showing Saddle Pass Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.

3. I am informed that the County also identifies this road according to the road number listed above.

4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1930s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including trucks, cars, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and is presently used weekly.

5. Throughout the time period from the early 1930s to 2007, I have used the road myself for the following uses: sight seeing and traveling in and through the area.

6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus the following uses: residential access, hunting, wood gathering, livestock operations and farming.

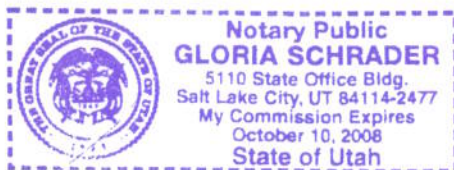
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1930s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I personally observed the graded surface of the road.

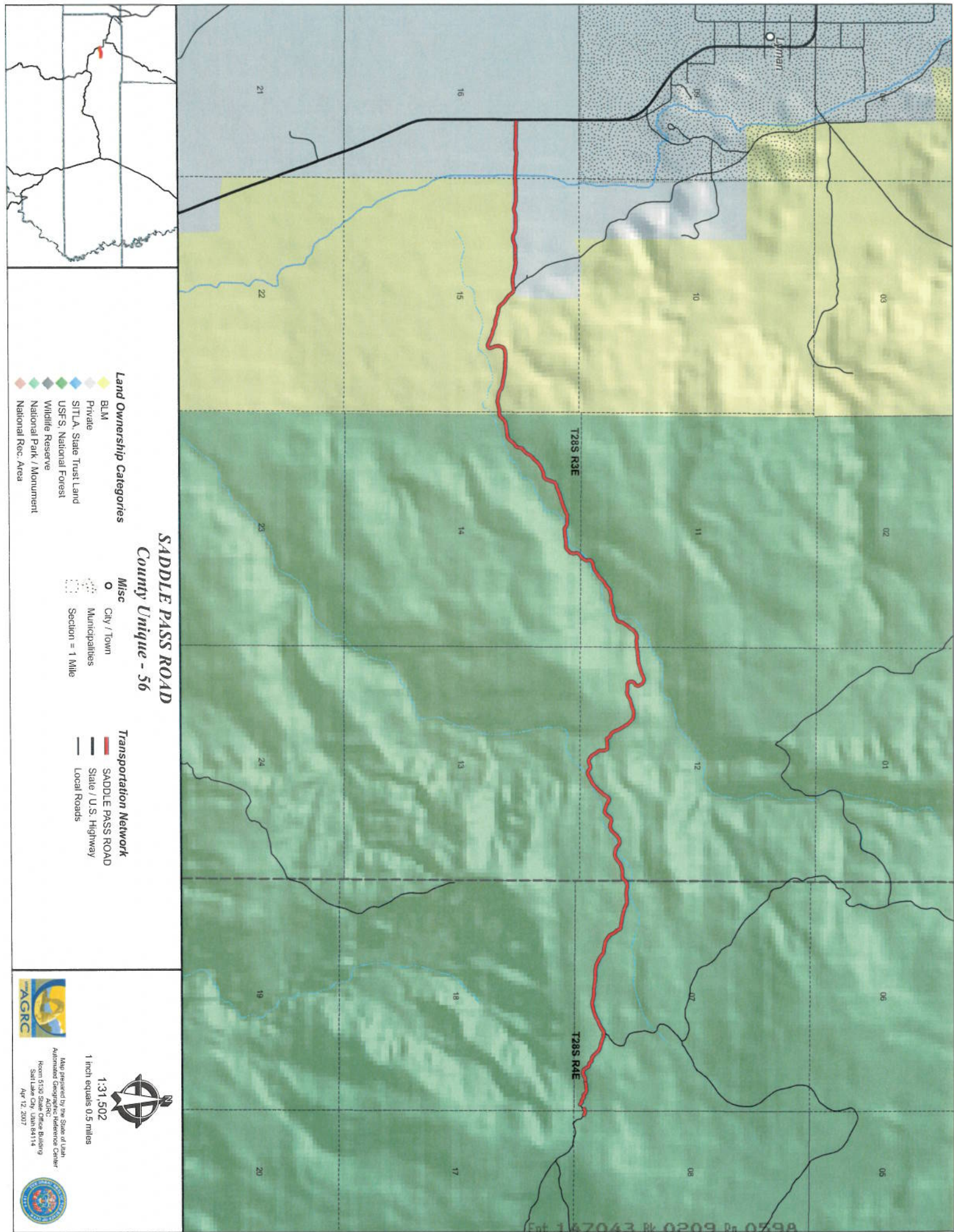
DATED this 18 day of April, 2007.


DENZEL TAYLOR

SUBSCRIBED AND SWORN to before me this 18th day of April, 2007.




NOTARY PUBLIC



Land Ownership Categories

- BLM
- Private
- SNFLA, State Trust Land
- USFS, National Forest
- Wildlife Reserve
- National Park / Monument
- National Rec. Area

Misc

- City / Town
- Municipalities
- Section = 1 Mile

Transportation Network

- SADDLE PASS ROAD
- State / U.S. Highway
- Local Roads

SADDLE PASS ROAD County Unique - 56

1:31,502

1 inch equals 0.5 miles



Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
Apr 12, 2007



Appendix A to Attachment 4

Popular Name: SADDLE PASS ROAD

County: Wayne

County Road Number: 56

State Geographic Information Database (SGID) Road Identification Number: RD280329.

Road-Segment Number: 002

Road-Segment Length: 0.72 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 28 South Range 3 East, Section(s) 14,15, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (SADDLE PASS ROAD)-- Segment 002 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 38 degrees 22 minutes 42.96 seconds North Latitude and -111 degrees 34 minutes 18.31 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,619,846.7 feet and Y = 10,465,875.5 feet; thence the following courses along the said road center line:

thence South 78 Degrees 16 Minutes 38 Seconds East	4 feet
thence South 76 Degrees 53 Minutes 55 Seconds East	87.7 feet
thence South 81 Degrees 07 Minutes 19 Seconds East	67.8 feet
thence South 85 Degrees 17 Minutes 55 Seconds East	29.3 feet
thence South 83 Degrees 28 Minutes 51 Seconds East	11.6 feet
thence North 87 Degrees 21 Minutes 30 Seconds East	56.5 feet
thence North 83 Degrees 36 Minutes 59 Seconds East	77.6 feet
thence North 81 Degrees 46 Minutes 54 Seconds East	59.6 feet
thence North 78 Degrees 15 Minutes 19 Seconds East	29.8 feet
thence North 82 Degrees 18 Minutes 10 Seconds East	17.9 feet
thence South 52 Degrees 09 Minutes 13 Seconds East	5.8 feet

thence South 59 Degrees 10 Minutes 07 Seconds East 4.1 feet
 thence South 53 Degrees 48 Minutes 26 Seconds East 59.3 feet
 thence South 35 Degrees 55 Minutes 27 Seconds East 86.8 feet
 thence South 51 Degrees 35 Minutes 07 Seconds East 89.2 feet
 thence South 57 Degrees 00 Minutes 53 Seconds East 92.7 feet
 thence South 40 Degrees 54 Minutes 44 Seconds East 90.8 feet
 thence South 51 Degrees 36 Minutes 49 Seconds East 78.2 feet
 thence South 80 Degrees 00 Minutes 22 Seconds East 84.4 feet
 thence South 79 Degrees 00 Minutes 03 Seconds East 83.7 feet
 thence South 73 Degrees 28 Minutes 01 Seconds East 74.8 feet
 thence South 71 Degrees 37 Minutes 25 Seconds East 70.7 feet
 thence South 89 Degrees 00 Minutes 11 Seconds East 71.9 feet
 thence South 73 Degrees 55 Minutes 17 Seconds East 69.8 feet
 thence South 71 Degrees 04 Minutes 49 Seconds East 74.7 feet
 thence South 73 Degrees 21 Minutes 20 Seconds East 84.4 feet
 thence South 67 Degrees 51 Minutes 05 Seconds East 90.2 feet
 thence South 66 Degrees 28 Minutes 36 Seconds East 89.3 feet
 thence South 66 Degrees 59 Minutes 35 Seconds East 82.9 feet
 thence North 82 Degrees 13 Minutes 55 Seconds East 63.2 feet
 thence North 24 Degrees 42 Minutes 21 Seconds East 43.5 feet
 thence North 17 Degrees 55 Minutes 59 Seconds West 58.5 feet
 thence North 22 Degrees 21 Minutes 10 Seconds West 72.6 feet
 thence North 06 Degrees 28 Minutes 06 Seconds West 79.6 feet
 thence North 14 Degrees 17 Minutes 59 Seconds East 79.4 feet
 thence North 38 Degrees 45 Minutes 41 Seconds East 42.7 feet
 thence North 66 Degrees 17 Minutes 03 Seconds East 24 feet
 thence North 73 Degrees 53 Minutes 11 Seconds East 54.2 feet
 thence North 81 Degrees 13 Minutes 04 Seconds East 78 feet
 thence North 89 Degrees 41 Minutes 20 Seconds East 93.5 feet
 thence South 85 Degrees 08 Minutes 06 Seconds East 91 feet
 thence South 87 Degrees 19 Minutes 08 Seconds East 94.3 feet
 thence South 88 Degrees 09 Minutes 57 Seconds East 87.7 feet
 thence South 82 Degrees 36 Minutes 53 Seconds East 85.8 feet
 thence South 76 Degrees 48 Minutes 54 Seconds East 84.4 feet
 thence South 83 Degrees 02 Minutes 09 Seconds East 77.8 feet
 thence South 82 Degrees 42 Minutes 58 Seconds East 74.5 feet
 thence South 71 Degrees 42 Minutes 39 Seconds East 72 feet
 thence South 58 Degrees 02 Minutes 46 Seconds East 76.9 feet
 thence South 71 Degrees 19 Minutes 33 Seconds East 75.7 feet
 thence South 82 Degrees 10 Minutes 50 Seconds East 81.2 feet
 thence South 80 Degrees 04 Minutes 00 Seconds East 83 feet
 thence North 78 Degrees 02 Minutes 19 Seconds East 65 feet
 thence North 77 Degrees 34 Minutes 13 Seconds East 54.7 feet
 thence North 76 Degrees 17 Minutes 47 Seconds East 63.8 feet
 thence North 88 Degrees 36 Minutes 29 Seconds East 50.9 feet
 thence North 88 Degrees 36 Minutes 28 Seconds East 18.7 feet
 thence North 88 Degrees 10 Minutes 17 Seconds East 25 feet more or less to **the ending point**

at: 38 degrees 22 minutes 39.79 seconds North Latitude and -111 degrees 33 minutes 38.16 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet

coordinates of X = 1,623,044.0 feet and Y = 10,465,552.6 feet.